



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Weaver, *et al.*

Application No.: 09/932,677

Filed: August 16, 2001

For: Anti-Epileptogenic Agents

Attorney Docket No.: NCI-006DV1

Group Art Unit: 1624

Examiner: D. Rao

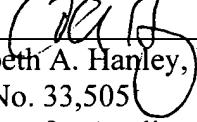
Commissioner for Patents  
Washington, D.C. 20231

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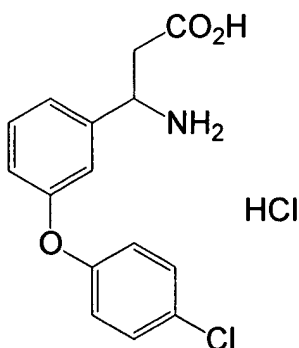
By:   
Elizabeth A. Hanley, Esq.  
Reg. No. 33,505  
Attorney for Applicants

RESPONSE TO ELECTION REQUIREMENT

This is in response to the Election Requirement dated November 6, 2001.

The Examiner has required Applicants to elect, under 35 U.S.C. § 121, a single disclosed compound species for prosecution on the merits.

In response, Applicants hereby elect without traverse "3-amino-3-[3-(4-chlorophenoxy)-phenyl]-propionic acid," depicted below for the convenience of Examiner:



Said species was disclosed in the application as filed in Table 1 (page 50 of the Specification). It is Applicants' understanding that the species election is for searching purposes only, and upon a finding of allowability of the elected species, the remaining species also will be searched. Pending claims 68, 69, 78, 80, 92, 93, 118, 119, 138, 139, and 140 read on the elected species.

If a telephone conversation with Applicants' attorney would help expedite the prosecution of the above-identified application, the Examiner is urged to call Applicants' attorney at (617) 227-7400.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP



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Dated: December 6, 2001